

1  
2  
3  
4  
5  
6  
7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 FRANCIS TOLENTINO,

11 Plaintiff,

12 v.

13 U.S. CITIZENSHIP &  
14 IMMIGRATION SERVICES, et al.,

15 Defendants.

CASE NO. C16-0451JLR

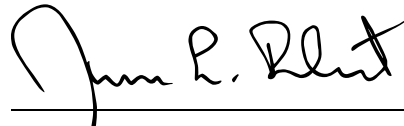
ORDER

16 Plaintiff Francis Tolentino brings this action pursuant to the Administrative  
17 Procedures Act (“the APA”) and contends that Defendants erred in denying his petition  
18 to classify a Convention<sup>1</sup> adoptee as an immediate relative. (*See* Am. Compl. (Dkt. # 23)  
19 ¶¶ 8.1-9.2; JSR (Dkt. # 11) at 2.) The court has reviewed the parties’ joint status report  
20 (“JSR”). (*See* JSR.) In their JSR, the parties state that “[b]ecause this action is brought

21  
22 <sup>1</sup>The Convention on Protection of Children and Cooperation in Respect of Intercountry  
Adoption, May 29, 1993, 32 I.L.M. 1134 (the “Hague Adoption Convention”). (*See* MTD (Dkt.  
# 18) at 2; Compl. (Dkt. # 1) ¶ 7.4 (referring to “The Hague Adoption Convention”).)

1 under the APA, the case will be decided on the administrative record, and discovery is  
2 not appropriate.” (*Id.* at 3.) In addition, the parties represent that a trial date and other  
3 pretrial-related matters are not applicable. (*See id.* at 5). The court recently granted Mr.  
4 Tolentino’s motion to amend his complaint and denied Defendants’ motion to dismiss  
5 Mr. Tolentino’s original complaint as moot. (Order (Dkt. # 22).) On May 15, 2017,  
6 Plaintiff filed his amended complaint. (*See Am. Compl.*) Accordingly, the court  
7 ORDERS the parties to file another JSR within ten (10) days of the entry of this order.  
8 Given the parties’ representations that this matter can be resolved without a trial, the  
9 second JSR must set forth a reasonable proposal for the court’s resolution of this matter  
10 on the merits.

11 Dated this 17th day of May, 2017.

12  
13 

14 JAMES L. ROBART  
15 United States District Judge  
16  
17  
18  
19  
20  
21  
22